

Release
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SUMMARY OF CASES ACCEPTED DURING THE WEEK OF DECEMBER 14, 1998

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#98-167 People v. Blount, S073792. (A078082, A082548; 66 Cal.App.4th 561, mod. 66 Cal.App.4th 1367b.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses and denied a petition for writ of habeas corpus. This case presents an issue, concerning whether trial counsel was ineffective for failing to move to strike a prior conviction allegation on grounds defendant had not been adequately advised prior to his earlier guilty plea, which is related to an issue before the court in People v. Allen, S054125. (See #97-161.)

#98-168 People v. Everett, S073791. (B111547, B121604; 66 Cal.App.4th 270.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses and denied a petition for writ of habeas corpus. This case presents an issue, concerning whether the criminal statute of limitations is jurisdictional or is an affirmative defense, which is related to an issue before the court in People v. Williams, S069793. (See #98-83)

(over)

#98-169 Haggis v. City of Los Angeles S074364. (B108947; 67 Cal.App.4th 216.) Petition for review after the Court of Appeal affirmed a judgment in a civil action. This case concerns 1) whether the immunity provided by Government Code section 818.6 bars an action against a city for failing to record certificates showing the instability of real property which recording is required by municipal ordinance and, if not, 2) whether the ten-year statute of limitations provided by Code of Civil Procedure section 337.15 for construction defects applies to such actions.

#98-170 Johnson v. City of Loma Linda S074261. (E020480; 66 Cal.App.4th 823.) Petitions for review after the Court of Appeal affirmed in part and reversed in part a judgment in a civil action. This case concerns 1) whether an employee who has filed both a timely grievance under a local administrative grievance procedure and a timely discrimination claim with the Fair Employment and Housing Commission, but who has failed to have adverse factual findings made in the local administrative proceeding set aside in a timely administrative mandamus proceeding, is barred under collateral estoppel principles from challenging the adverse findings in a subsequent court action under the Fair Employment & Housing Act and 2) whether dismissal of such an administrative mandamus action on grounds of laches bars a subsequent federal Title VII civil rights claim.

#98-171 People v. Murphy S074208. (B112148.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents an issue, concerning the use of a computer generated, Department of Justice CLETS form to prove a prior conviction, which is related to an issue before the court in People v. Martinez, S062266.) (See #97-134.)

#98-172 People v. Snyder, S073982. (B110053; 66 Cal.App.4th 526.)
Petition for review after the Court of Appeal reversed a judgment of conviction of criminal offenses. This case includes an issue concerning whether 1984 amendments to the Political Reform Act of 1974 exempted from criminal penalties for campaign money laundering a class of persons, including lobbyists who were previously subject to criminal liability. (See Gov. Code, § 81000 et seq.; Stats. 1984, ch. 670, § 2.)

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